

**Notice of Allowability**

Application No.

09/848,639

Examiner

Nga B. Nguyen

Applicant(s)

HARRISON ET AL.

Art Unit

3692

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on July 31, 2007.
2. ☒ The allowed claim(s) is/are 54,55,60,61,63,67,69,76,77 and 83-146.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 6/27/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **DETAILED ACTION**

1. This Office Action is the answer to the Amendment filed on July 31, 2007, which paper has been placed of record in the file.
2. Claims **54, 55, 60, 61, 63, 67, 69, 76, 77, and 83-146** are pending in this application.

### ***Allowable Subject Matter/Reasons for Allowance***

3. Claims **54, 60, 63, 67, 69, 76, 77, 84, 94, 99, 109, 115, 120, 124, 129, 132, 136, and 140** are allowed over the prior arts cited records.

The closest prior art is:

Walker (US 5,794,207) discloses the present invention is a method and apparatus for effectuating bilateral buyer-driven commerce. The present invention allows prospective buyers of goods and services to communicate a binding purchase offer globally to potential sellers, for sellers conveniently to search for relevant buyer purchase offers, and for sellers potentially to bind a buyer to a contract based on the buyer's purchase offer. In a preferred embodiment, the apparatus of the present invention includes a controller which receives binding purchase offers from prospective buyers. The controller makes purchase offers available globally to potential sellers. Potential sellers then have the option to accept a purchase offer and thus bind the corresponding buyer to a contract. The method and apparatus of the present invention have applications on the Internet as well as conventional communications systems such as voice telephony. Walker further discloses central controller 200 is separated into

Art Unit: 3692

three distinct elements: operations server 160, trusted server 165, and bonding agency 170. Each server performs a distinct task in the process of managing CPO 100. This separation makes it more difficult for attackers to compromise the system, as they must defeat the security of three separate systems instead of one. As indicated in FIG. 20, these servers work in conjunction with buyer interface 400 and seller interface 300. Operations server 160 has the task of posting CPOs 100, and accepts all transactions previously authenticated by trusted server 165. Trusted server 165 authenticates the identity of buyers and sellers, while bonding agency 170 verifies the ability of buyers to pay and the ability of sellers to deliver on bound CPOs 100. In this embodiment, each server type may be distributed over a number of servers.

Therefore, it is clear from the description of Waker's invention that the prior arts do not considered the possibility of: displaying an image in an area on the online auction under excusive control of operator of the first server, the image evidencing that at least one of the parties to the auction is bonded, as included in claim 54; an unique identifier displayed by the serve indicating the existence of bond or guaranty coverage of a given auction listing, included in claim 60; discounting the closing price of the auction when the winning bidder in the auction is bonded, as included in claim 63; providing the first entity with the option of obtaining a preferred bond or standard bond, as included in claim 67; indicating the existence of said guarantee or said bond when said first entity is a participant in said fist auction, as included in claim 69; displaying a first image on a computer network evidencing that the fist entity has opened the fist account, as included in claim 76; rejecting a fist bid when the fist bidder has not

opened an account or has not obtained a bond, as included in claim 77; causing a seal indicating a guarantee is associated with the online auction to be displayed, as included in claim 84; displaying a seal indicating that the guarantee can be purchased by a bidder of the online auction, as included in claim 94; providing either a first tier guarantee of a second tier guarantee when the seller is determined to be eligible for the guarantee, as included in claim 99; selectively raising the first tier guarantee to a second tier guarantee based upon an evaluation of a record of the seller, as included in claim 109; displaying a seal in a listing area of the online action indicating that a guarantee can be purchased by a winning bidder of the online auction, as included in claim 115; allowing a seller to reject a bid from a bidder that does not have a guarantee, as included in claim 120; displaying a seal in a listing area of the online auction evidencing that a guarantee is in effect for the online auction, wherein a cost of the guarantee includes paying by a banner ad included in the online auction, as included in claim 124; displaying a seal indicating a guarantee, the seal indicating a link in a listing area of the online action, as included in claim 129; displaying a seal indicating the guarantee in a listing area of an active online auction when it is determined to offer the guarantee, as included in claim 132; displaying an image file indicating a guarantee in a listing area of the online action that identified a user, the image file being periodically updated during a pendency of the online auction, as included in claim 136; displaying a seal indicating a guarantee in a listing area of the online action indicating that a guarantee is available for the online action, as included in claim 140.

Art Unit: 3692

4. Claims 55, 61, 83, (85-93, 142-144), (95-98), (100-108), (110-114), (116-119, 145), (121-123), (125-128, 146), (130, 131), (133-135), 137-139, and 141 are allowed because they are dependent claims of the allowable independent claims 54, 60, 76, 84, 94, 99, 109, 115, 120, 124, 129, 132, 136, and 140 above, in that order.

### ***Conclusion***

5. Claims **54, 55, 60, 61, 63, 67, 69, 76, 77, and 83-146** are allowed.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria VA, 22313-1450

Or faxed to:

(571) 273-8300 (for formal communication intended for entry),

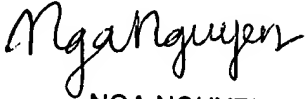
Art Unit: 3692

or

(571) 273-0325 (for informal or draft communication, please label

"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox Building, 501 Dulany  
Street, Alexandria, VA, First Floor (Receptionist).

  
NGA NGUYEN  
PRIMARY EXAMINER

September 12, 2007